

been suggested by Delegate Bamberger. I do believe, and this may sound again like a strange line-up, but I believe that the word "imminent" is very desirable in these troubled times. If we do take the case of Cambridge, certainly the word "imminent" and its meaning will give the governor sufficient power to make the right decision on a timely basis. I, therefore, hope that we will support the amendment as offered by Delegate Bamberger.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: Mr. Chairman, might I also point out that the word "imminent" qualifies the fourth category, not the third category, and therefore has nothing to do with when the governor would call the troops or the militia or the national guard, as the case might be, to enforce the laws of the State.

We are talking about a fourth category here that might have nothing to do with enforcement of laws. There is no law against hurricanes that I know of.

THE CHAIRMAN: Is there any further discussion? Delegate Lloyd Taylor.

DELEGATE L. TAYLOR: I rise to support the amendment. I feel that in some cases it is not necessary to call out the militia. The state police and the regular police force can handle certain situations. In a situation such as Cambridge, the governor did call out the militia and, of course, it did its duty. Often we find that through police intelligence many incidents can be prevented. This is why I support the amendment by Delegate Bamberger.

THE CHAIRMAN: Delegate E. J. Clarke.

DELEGATE E. CLARKE: Mr. Chairman, I rise in opposition to the amendment. As Delegate Wheatley stated, we consulted three nationally accepted dictionaries on the words "may occur" as against "is imminent." One was Black's. The final suggestion in BLACK'S LAW DICTIONARY was the meaning, "to the end that justice may not be the slave of grammar."

THE CHAIRMAN: Is there any further discussions? Ready for the question? Question arises on the amendment to Committee Recommendation GP-1, line 15, to strike out the words "may occur" and insert in lieu thereof the words "is imminent." A vote Aye is a vote in favor of the amendment, changing the words, a vote No is a vote against the amendment. Are you ready for the question?

*(Call for the question.)*

All those in favor, signify by saying Aye; opposed, No. The Noes seem to have it. The Noes have it—call for a roll call.

*(Whereupon a roll call vote was taken.)*

THE CHAIRMAN: The Clerk will record the vote.

There being 25 votes in the affirmative and 109 in the negative, the motion is lost. The amendment is rejected.

Delegate Chabot, I take it from the comment you made previously, you do not desire to submit the amendment you prepared.

DELEGATE CHABOT: That is correct.

THE CHAIRMAN: Delegate Marion, do you desire to submit an amendment?

DELEGATE MARION: Yes, Mr. Chairman.

THE CHAIRMAN: Do you have the amendment?

DELEGATE MARION: I have submitted Amendment 6, which I guess would be redesignated as Amendment No. 5.

THE CHAIRMAN: That is correct. The Clerk will read the amendment.

READING CLERK: Amendment No. 5 to Committee Recommendation GP-1, by Delegate Marion: in line 10 of page 1 of Committee Recommendation GP-1, strike out the words "its officers" and insert in lieu thereof the words "such officers as the General Assembly may by law provide".

THE CHAIRMAN: Is the motion to submit the amendment seconded? Is there a second?

*(The motion was duly seconded.)*

THE CHAIRMAN: The Chair recognizes Delegate Marion to speak in support of the amendment.

DELEGATE MARION: Mr. Chairman, the purpose of the amendment, first of all, is to limit the authority of the governor to appoint all of the officers of the militia or the national guard unless that be the will of the General Assembly. There are hundreds of officers, perhaps thousands of officers, of the militia in the State. I did not understand that that was the intention of the Committee.

It also would provide some reference to the words which appear in the Committee